

CALIFORNIA HORSE RACING BOARD
1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825



**REPORT OF THE BOARD OF STEWARDS
DEL MAR THOROUGHBRED CLUB
TO THE CALIFORNIA HORSE RACING BOARD**

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Report of the Board of Stewards for the week of Wednesday, August 6, 2008 through Monday, August 11, 2008. Steward Scott Chaney was the Reporting Steward for the enclosed period.

WEDNESDAY
8/06/08

1 JACKSON RULING

The Jackson complaint, outlined in last week's minutes, involved an allegation of an exercise rider hitting a horse on the nose with his whip while exiting the track at Pomona. An employee of Bruce Headley, Mr. Jackson provided written declarations, which effectively negated the allegations. The stewards did believe, however, that Mr. Jackson failed to show his license when requested to do so by the CHRB investigator and therefore felt that some penalty was appropriate:

DMTD Ruling #34

Exercise Rider STEPHEN JACKSON, is fined Fifty Dollars (\$50.00)* for violation of California Horse Racing Board Rule # 1930 (Obedience to Security Officers and Public Safety Officers – Failure To Produce License for California Horse Racing Board Investigator) on Saturday, July 5, 2008.

2 INQUIRY/DISQUALIFICATION

Shortly after the running of the seventh race (Sorrento Stakes), the stewards posted the inquiry sign to examine an incident at the sixteenth pole involving the third and fourth place finishers. Films showed that the third place finisher #7 Glitter City, ridden by Martin Garcia, lugs in approximately three paths and crosses in front of fourth place finisher #2 Emmy Darling, causing that rival to check. #2 Emmy Darling does rally to finish a head behind #7 Glitter City. After speaking with the patrol judges and riders involved, the stewards determined that #7 Glitter City was not clear when she crossed in front of her rival and therefore voted unanimously to disqualify her and place her fourth.

Original order of finish: 8-6-(7)-2-9-5-10-11-1-3

Official order of finish: 8-6-2-(7)-9-5-10-11-1-3

3 DECLARATIONS, CHANGES AND REFUNDS

1st Race #4 Lotta Texas Charm – Veterinarian scratch, unsound – Dr. Bailey
Refund \$1,653.00

2nd Race #3 Recoil – Veterinarian scratch, sick – Dr. Bailey
#7 Rudeameanie – Veterinarian scratch, unsound – Dr. Bailey
#9 Stand Tall – Stewards' scratch, also eligible
Refund \$2,990.00

3rd Race #2 Dixie Hawks – Claimed – J. Hollendorfer, trainer
Refund \$357.00

4th Race #1 Only Him (GB) – Veterinarian scratch, injured – Dr. Connor
Refund \$1,765.20

5th Race #11 Salah's Jewels – Stewards' scratch, enter back
#2 Ms Toomsuba – Claimed – S. Knapp, trainer
#8 Ima Offended – Claimed – TR Bell, trainer
Refund \$959.00

6th Race #11 Nate' N Ed – Stewards' scratch, also eligible
#12 Quarter Moon – Stewards' scratch, also eligible
Refund \$1,509.70

7th Race #4 Upper Manhattan – Stewards' scratch, stake
Refund \$413.90

8th Race #5 Huss the King - Stewards' scratch, ownership
#8 Bob Benoit – Late veterinarian scratch, unsound
Refund \$100,035.55

4 ATTENDANCE AND HANDLE

Total Refund: \$109,683.35	Del Mar on Track	10,041	Off Track	\$3,130,528.70
No Minus Pool	Off Track	7,488	Out of State	\$5,791,292.27
	Total Attendance	17,529	<u>Del Mar Total</u>	<u>\$1,496,738.00</u>
			Total	\$10,418,558.97

THURSDAY
08/0708

1 STABLE AREA VIOLATIONS

Rulings 35 through 50 involved routine stable area violations incurred here at Del Mar.

2 FILM REVIEW

Jockey MARTIN GARCIA met with the stewards regarding his ride in the seventh race yesterday in which his mount was disqualified from third and placed fourth for drifting in during the stretch run. Mr. Garcia acknowledged his error in hitting his mount right handed while she was drifting but asked this Board of Stewards for a warning. Unfortunately, we felt that a three-day suspension was in order because of the distance that his mount drifted and the fact that he really made no discernable effort to correct her. This suspension is outlined in the following ruling:

DMTD Ruling #51

Jockey MARTIN GARCIA, who rode "GLITTER CITY" in the seventh race at Del Mar Thoroughbred Club on Wednesday, August 6, 2008 is suspended for three (3) racing days (August 14th, 15th, and 16th 2008) for failure to make the proper effort to maintain a straight course in the stretch and causing interference, resulting in the disqualification of his mount from third to fourth, which is a violation of California Horse Racing Board Rule # 1699 (Riding Rules – Careless Riding). The terms of this suspension shall not prohibit participation in designated races in California.

3 McANALLY RULING

Trainer RON McANALLY was penalized in the following ruling for his involvement in entering a horse whose sale was pending at the time of entry. Apparently the sale was consummated after the time of entry and the new owners either were not aware of its commitment to run or preferred not to run in the particular race. Although there was clearly a lack of communication in this situation, we believed that a penalty was appropriate:

DMTD Ruling #52

Trainer RONALD MCANALLY is fined Three Hundred Dollars (\$300.00)* pursuant to California Horse Racing Board Rule #1629 (Penalty for Late Declaration) for violation of Rule #1698 (Failure to Start and Run) causing the declaration of the horse "MILWAUKEEBREW KAROO" in the fourth race on Thursday, August 07, 2008, at Del Mar Thoroughbred Club.

4 DECLARATIONS, CHANGES AND REFUNDS

1 st Race	No changes Refund \$846.75
2 nd Race	#2 Yes It's a Cat – Veterinarian scratch, sick – Dr. Bailey #5 Robscarvic (IRE) – Claimed – C. Lewis, trainer Refund \$1,082.90
3 rd Race	No changes Refund \$98.00
4 th Race	#3 Hunter Creek – Claimed – A. Sherman, trainer #6 Public Image – Claimed – D. O'Neill, trainer #9 Adhere – Claimed – D. Velasquez, trainer Refund \$110.00
5 th Race	#3 Smooch – Claimed – W.E. Morey, trainer #5 Tiz Next – Claimed – P. Levine, trainer #12 Yearly Gift – Claimed – J. Hollendorfer, trainer #13 Talking to Devon – Stewards' scratch, also eligible Refund \$1,787.80
6 th Race	#2 Rocket Kitty – Claimed – W.E. Morey, trainer #3 Kalookan Year – Claimed – V. Garcia, trainer Refund \$222.00
7 th Race	#4 Darling Mambo – Veterinarian scratch, injured – Dr. Bailey #10 Gloria Goodbody – Veterinarian scratch, sick – Dr. Connor Refund \$1,275.40
8 th Race	#13 Got A lot Going – Stewards' scratch, also eligible Refund \$1,076.80

5 ATTENDANCE AND HANDLE

Total Refund: \$6,499.85	Del Mar on Track	10,750	Off Track	\$2,919.072.10
No Minus Pool	<u>Off Track</u>	<u>7,133</u>	Out of State	\$5,175,611.96
	Total Attendance	17,883	<u>Del Mar Total</u>	<u>\$1,561,564.50</u>
			Total	\$9,656,248.56

FRIDAY

08/08/08

1 STEWARD SUBSTITUTION

Assistant steward LUIS JAUREGUI will be substituting for steward Scott Chaney on Friday and Saturday.

2 ROUTINE AFTERNOON

All matters during the course of the eight-race day were routine.

3 PROGRAM CHANGES DECLARATIONS AND REFUNDS

- 1st Race #3 Adarlyn Cat-Claimed –C. Lewis, trainer
#6 Carrie With a C –Claimed- M. Mitchell, trainer
Refund \$1,381.00
- 2nd Race #1 Vega's Lord- Veterinarian scratch, sick- Dr. Connor
No show wagering pursuant to CHRB #1941.1 (parlay wagering on Win, Place and Show)
Refund \$1,056.60
- 3rd Race #1 Warren's Cookie-Veterinarian scratch, unsound-Dr. Bailey
#9 Series of Dreams –Jockey J. Court replaces Matt Garcia (injured)
Refund \$5,229.85
- 4th Race #8 Common Trust- Claimed- J. Mullins, trainer
#11 Johnny High Brite- Stewards' scratch, entered back
#13 Preachintothechoir- Stewards' scratch, also eligible
#14 Twin Turbo-Stewards' scratch, also eligible
Refund \$ 1,585.90
- 5th Race #1 Warren's Lady Slew- Claimed -J. Sadler, trainer
#7 Ammarie- Late Veterinarian scratch, unsound-Dr. Bailey
#12 Sarah's Melody- Claimed- J. Cassidy, trainer
#13 Fastcar to freedom- Stewards' scratch, also eligible
#14 Monica C C- Stewards' scratch, also eligible
Refund \$77,992.65
- 6th Race No changes; Refund \$236.00
- 7th Race No changes; Refund \$124.00
- 8th Race #8 Yvett's Hope- Jockey P. Arambula replaces P. Atkinson (sore back)
#14 Seven Lucky J's- Stewards' scratch, also eligible
Refund \$1,714.10

4 ATTENDANCE AND HANDLE

Total Refund: \$89,320.10	Del Mar on Track	17,995	Off Track	\$2,784,513.30
No Minus Pool	<u>Off Track</u>	<u>7,151</u>	Out of State	\$5,990,617.02
	Total Attendance	25,146	<u>Del Mar Total</u>	<u>\$1,832,267.60</u>
			Total	\$10,607,397.92

SATURDAY

08/09/08

1 FORMAL HEARING

A formal hearing was held this morning into a complaint filed by the CHRB against trainer Barry Abrams for violation of CHRB rule #1874 (Disorderly Conduct) after the fifth race on July 24, 2008. According to the allegation, Abrams was involved in a verbal dispute with Paddock Judge Dawn Jackson, "conducting himself in a loud and disorderly manner." Present were the Board of Stewards, Mr. Abrams, Investigator Rick Amieva, and observer Tom Robbins, Racing Secretary/Vice-President, Racing. Barbara Weinstein recorded the proceedings. Ms. Jackson testified that on the morning of July 24, she had allotted two schooling spots to Abrams for the seventh race. That afternoon, the Abrams horses came over with horses for the sixth race and were turned back by paddock attendants as they were with the wrong race and there was insufficient room for them. Mr. Abrams, who was upset that his horses had been denied an opportunity to school prior to the sixth event, confronted Ms. Jackson, following the running of the fifth race on her way to the paddock for the sixth race. Ms. Jackson said that Abrams yelled at her in a loud voice, stating, "This is [expletive]" and gesturing at Ms. Jackson. She felt intimidated by his actions and walked away to diffuse the situation. Clerk of Scales Ruben Hernandez testified that he was at the scales near the finish line to weigh in riders, and noticed Abrams and Ms. Jackson engaged in conversation. He overheard the trainer say, "I don't need your [expletive], or words to that effect. He also said that Abrams was in an agitated state, waving his arms and gesturing in an animated fashion. He felt the actions were disorderly in nature. The confrontation occurred in an area in close proximity to the public. Mr. Abrams testified that in his opinion, nothing happened and, although he did admit to saying "This is [expletive]", he did so in his normal voice. He felt that he should have been contacted regarding the problem so that alternate arrangements could have been made. Mr. Abrams offered no witnesses to rebut testimony of the prosecution's witnesses. He did, however, attempt to bring up several mitigating factors, which were not relevant to the situation at hand. The parties were given the opportunity for closing arguments, after which the hearing was brought to a close. A decision will be rendered shortly.

2 JOCKEY'S OBJECTION/ NO CHANGE

Following the running of the seventh race (six and a half furlongs), jockey Victor Espinoza, aboard the fourth place finisher # 4 Del Conte, claimed foul against the first place horse #9 Wild Wild Posse (Michael Baze) and the second place horse # 7 Speight Halo (Aaron Gryder) for interference turning into the stretch.

Films revealed that Mr. Baze's horse does drift out, causing Del Conte to steady. After speaking with jockeys and the patrol judges, the stewards unanimously decided to leave the original order of finish alone because, in our opinion, # 4 Del Conte was not cost the opportunity for a better placing.

3 TIMER MALFUNCTION

Prior to the running of the third race, the stewards were notified that there was a malfunction with the electronic timer. The 3rd, 4th, and 5th races were hand timed, after which the electronic timer functioned properly for the remainder of the card.

4 DECLARATIONS, CHANGES AND REFUNDS

1 st Race	No changes Refund \$45.00
2 nd Race	#1 Raise the Heat- Claimed- B. Spawr, trainer #2 Be Realistic(ARG)- Claimed-A.C. Avila, trainer #5 Ghosttrapper- Claimed- M. Glatt, trainer #6 Dawn's Early Sky- Late Veterinarian scratch, unsound - Dr. Bailey #7 Skippy Due- Claimed- A. Sherman, trainer Refund \$129,916.61
3 rd Race	#6 Omerta-Veterinarian scratch, sick- Dr. Connor Refund \$525.90
4 th Race	#8 Caddymaster-Claimed- J. Hollendorfer, trainer Refund \$314.00
5 th Race	#2 Party Hard- Veterinarian scratch, unsound- Dr. Connor Refund \$1,351.00
6 th Race	#1 Improvising Gal- Claimed- J. Periban, trainer #5 No Cream Or Sugar- Veterinarian scratch, sick- Dr. Bailey #6 Starstruck Kristen- Claimed- S. Knapp, trainer Refund \$1,527.00
7 th Race	#3 Big Revolution- Veterinarian scratch, sick- Dr. Connor Refund \$1,489.80
8 th Race	#5 Waive Liability- Veterinarian scratch, sick- Dr. Bailey Refund \$1,374.26
9 th Race	No changes Refund \$135.00
10 th Race	#10 Armenian Dancer- Jockey L. Contreras replaces J. Garcia (sick) #14 If Not for You- Stewards' scratch, also eligible Refund \$795.00

5 ATTENDANCE AND HANDLE

Total Refund: \$137,473.57	Del Mar on Track	39,679	Off Track	\$5,777,123.90
No Minus Pool	<u>Off Track</u>	<u>11,900</u>	Out of State	\$8,053,285.67
	Total Attendance	51,579	<u>Del Mar Total</u>	<u>\$2,963,506.80</u>
			Total	\$16,793,916.37

SUNDAY

08/10/08

1 BERRIO HEARING

Jockey OMAR BERRIO met with the stewards in a formal hearing regarding a complaint (case number 08HP0050) filed by the CHRB alleging violation of CHRB rules 1484 (Evidence of Unfitness for License), 1874 (Disorderly Conduct) and 1902 (Conduct Detrimental to Racing). These allegations arise from two arrests for drunk driving and cocaine possession, the most recent occurring in the last two months. No convictions have been recorded. Senior Investigator Amieva also presented evidence of a cocaine positive in New York and that state's subsequent denial of a license. Testimony and argument were heard from the CHRB and Mr. Berrio. This Board will render a decision in the near future.

2 BRIAN KORINER RULING

Trainer BRIAN KORINER contacted the stewards by telephone regarding case number 08HP0060 which alleged a Flunixin overage in one of his horses during a workout for removal from the Veterinarian's List. Although he was unable to provide an explanation for the overage, Mr. Koriner took responsibility and accepted the following penalty:

DMTD Ruling #53

Trainer BRIAN KORINER, who worked the horse "POTENTIAL" at Hollywood Park on June 21, 2008, to be removed from Veterinarian's List, is fined four hundred dollars (\$400.00)* pursuant to California Horse Racing Board rule # 1887 (Trainer to Insure Condition of Horse) for violation of California Horse Racing Board rule #1843 (a) & (d) (Medication, Drugs, and Other Substances – Flunixin in excess of permitted level).

3 GREDVIG COMPLAINT

Owner EDWIN GREDVIG appeared by telephone to address a financial complaint (case number 08DM006) filed by trainer Mike Marlow in the amount \$509.15. Mr. Gredvig acknowledged the debt and was able to come to agreement with Mr. Marlow that required payments of \$100.00 per month. A financial agreement was signed by both parties.

4 INQUIRY/NO CHANGE

The stewards posted the inquiry sign following the running of the third race to examine an incident in which the third place finisher #1 Roadside Rest appears to drift out turning into the stretch and interfere with the second place finisher #7 Big Red Tate and the fifth place finisher #3 Special Grey Ghost. Since #7 Big Red Tate finished in front of #1 Roadside Rest, the only issue was whether #3 Special Grey Ghost was cost the opportunity at a better placing. After speaking with the patrol judges and riders involved (jockey Victor Espinoza did not believe his horse was cost a placing), the stewards unanimously voted to make no change. In our opinion, #3 Special Grey Ghost was not cost the length and a quarter he was beaten for fourth.

5 INQUIRY/DISQUALIFICATION

Following the running of the eighth race (Best Pal – Grade II), the stewards posted the inquiry sign to examine the stretch run involving the first four finishers. Video revealed that the eventual winner #10 Kelly Leak drifts in about three horse paths and causes interference to the three horses to his inside. Second place finisher #9 Azul Leon first tries to go to the winner's outside but changes his path as the winner drifts out, and is then herded inward when the winner begins his drift toward the rail. He is beaten a nose for the win. Additionally, fourth place finisher #8 Charlie's Moment is forced to steady sharply a few strides before the wire and loses all opportunity at a better placing. While many believed that his difficulty was caused by the third place finisher #5 Coronet of a Baron drifting out, in reality, #6 Coronet of a Baron was being tipped in the hind quarters, forcing him out. Therefore, in the stewards' opinion, all of the interference could be attributed to the winner. After speaking with the patrol judges and riders involved, the stewards unanimously voted to disqualify #10 Kelly Leak and place him fourth.

Original order of finish: (10)-9-5-8-4-2-3-7

Corrected order of finish: 9-5-8-(10)-4-2-3-7

6 DECLARATIONS, CHANGES AND REFUNDS

1 st Race	#1 Band of Thunder – Claimed – M. Mitchell, trainer
2 nd Race	No changes; Refund \$7.00
3 rd Race	No changes; Refund \$71.00
4 th Race	#1A Monica C C – Stewards' scratch, also eligible #13 Pistoia – Stewards' scratch, also eligible #3 Resoni Miss – Rider change – T. Revy for Matt Garcia (injured) Refund \$185.50
5 th Race	#9 Foxy Games (GB) – Stewards' scratch, also eligible #10 Con Corazon – Stewards' scratch, also eligible #5 Aunt Pink – vanned off, precautionary (turf) Refund \$444.40

6th Race #7 Saint Cindy – no lasix
Refund \$84.00

7th Race No changes; Refund \$122.00

8th Race #1 Captain Steel – Stewards' scratch, stake
Refund \$1,238.20

9th Race #13 Warren's Cat Time – Stewards' scratch, also eligible
#14 Seenosmoke – Stewards' scratch, also eligible
#8 Spooky Action – Late veterinarian scratch, unsound – Dr. Bailey
Refund \$57,357.31

7 ATTENDANCE AND HANDLE

Total Refund: \$59,509.41	Del Mar on Track 15,387	Off Track \$4,804,758.60
No Minus Pool	<u>Off Track 10,607</u>	Out of State \$7,461,138.34
	Total Attendance 25,994	<u>Del Mar Total \$2,312,325.90</u>
		Total \$14,578,222.84

MONDAY

08/11/08

1 FILM REVIEW

Jockey COREY NAKATANI met with the stewards regarding his ride in the third race yesterday in which his mount drifts out and causes interference to the two horses to his outside. While the interference was dramatic, in Mr. Nakatani's favor was the fact that he uses his left handed whip one time, the horses reacts to it, and he grabs the reins and pulls him back in again. On the other hand, the horse appears to be heading out before he hits him, or in the very least, have the tendency to drift out turning into the stretch. On balance, the stewards believed that Mr. Nakatani's action deserved a warning but not suspension days.

Jockey VICTOR ESPINOZA met with the stewards to discuss his ride in the eighth race yesterday in which his horse was disqualified from first and placed fourth. Films show that Mr. Espinoza hits his horse right handed five times while he drifts in approximately two and a half paths. While he does finally correct this drift after he has caused interference to the three horses to his inside, in the stewards' opinion (Steward Ward believed that Mr. Espinoza's effort was satisfactory), it is much too late. Therefore, the majority issued the following ruling:

DMTD Ruling #55

Jockey VICTOR ESPINOZA, who rode "KELLY LEAK" in the eighth race at Del Mar Thoroughbred Club on Sunday, August 10, 2008 is suspended for three (3) racing days (August 18th, 20th, and 21st 2008) for failure to make the proper effort to maintain a straight course in the stretch and causing interference, resulting in the disqualification of his mount from first to fourth, which is a violation of California Horse Racing Board Rule # 1699 (Riding Rules – Careless Riding).

The terms of this suspension shall not prohibit participation in designated races in California.

2 PALM WEST MEDIATION

Owner Rob Henie, who manages Palm West Stable and owner Rick Jackson, who is a partner in the stable, met with the stewards to come to a financial agreement in order for Mr. Jackson to receive money owed to him that was earned in the partnership. Both parties signed an agreement that memorialized their compromise.

3 ABRAMS RULING

After careful consideration of the facts of case 08DM00007, outlined previously, the stewards elected to issue the following ruling:

DMTD Ruling #54

Trainer BARRY ABRAMS is fined Two Hundred Dollars (\$200.00)* for violation of California Horse Racing Board Rule #1874 (Disorderly Conduct – Toward a Racing Official) at Del Mar Thoroughbred Club on July 24, 2008.

4 DECLARATIONS, CHANGES AND REFUNDS

1 st Race	#3 Sports Edition – Claimed – A. Marquez, trainer Refund \$118.00
2 nd Race	No changes; Refund \$89.00
3 rd Race	#2 Mystic Seaport – Veterinarian scratch, sick – Dr. Connor Refund \$1,430.60
4 th Race	#7 Media Man – Claimed – A. Marquez, trainer Refund \$507.00
5 th Race	#5 Quite the Man – Veterinarian scratch, sick – Dr. Bailey Refund \$4,094.22
6 th Race	#9 Skyspy – Veterinarian scratch, sick – Dr. Connor #1 Pack Your Bags – Claimed – M. Glatt, trainer #5 Dee Tee Bee – Claimed – D. Bernstein, trainer #8 Polish Pete – Claimed – J. Hollendorfer, trainer Refund \$1,856.70
7 th Race	No changes
8 th Race	No changes

5 ATTENDANCE AND HANDLE

Total Refund: \$8,095.52	Del Mar on Track 8,386	Off Track \$2,607,798.50
No Minus Pool	<u>Off Track 6,163</u>	Out of State \$4,359,289.69
	Total Attendance 14,549	<u>Del Mar Total \$1,189,122.60</u>
		Total \$8,156,210.79

CALIFORNIA HORSE RACING BOARD

SUMMARY

	Wed 8 - 6	Thurs 8 - 7	Fri 8 - 8	Sat 8 - 9	Sun 8 - 10	Mon 8 - 11	Week Total	Meet Total
Accidents	0	0	0	0	0	0	0	2
Cal-Bred Races	2	1	1	0	1	2	7	35
Claims	3	9	5	7	2	5	31	126
Inquiries	1	0	0	0	2	0	3	9
Objections	0	0	0	1	0	0	1	5
Disqualifications	1	0	0	0	1	0	2	3
Refunds	8	8	8	10	8	6	48	145
Rulings	1	18	0	0	1	2	22	55

Respectfully submitted,

C. Scott Chaney (Steward)

Tom Ward (Steward)

Randy Winick (Steward)